


Slide 1

Zoning and Other Tools for Implementation

Slide 2

Tools of Planning

- Local Planning Tools
 - Comprehensive Plan
 - Zoning, Subdivision Regulations
 - Other ordinances & codes



Slide 3

Comprehensive Plan

The comprehensive plan provides a framework for growth policy and legal basis for regulations.

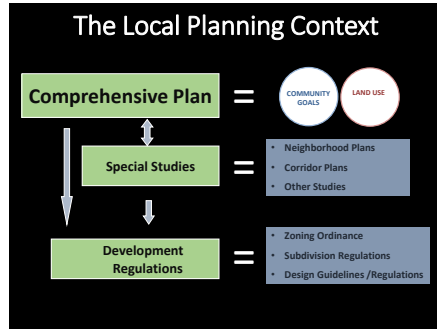
Menu of Plan Elements

REQUIRED for all: COMMUNITY GOALS, NEEDS & OPPORTUNITIES, COMMUNITY WORK PROGRAM

REQUIRED for some communities: CAPITAL IMPROVEMENTS ELEMENT, LAND USE, ECONOMIC DEVELOPMENT, TRANSPORTATION, HOUSING

**Visual Concept by Ozgur Basak Altan, Perkins+Will
Jon West GA DCA

Slide 4



Slide 5

Land Use Policy & Future Development Map

COMMUNITY GOALS LAND USE

Goals/Policies help to guide land use and zoning decisions

Goal 3: Create attractive, vibrant activity centers and corridors

- Policy 3.2: Revitalize and enhance existing commercial corridors and developments.
 - Strategy 3.2.1: Revitalize and redevelop underutilized, under-performing commercial corridors.
 - Strategy 3.2.2: Where appropriate - redevelop underutilized, under-performing commercial corridors with walkable, mixed use development.

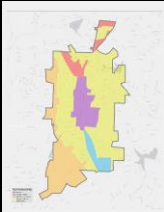
Slide 6

Land Use Policy & Future Development Map

COMMUNITY GOALS LAND USE

Future Land Use Map

- Map provides outline for how the jurisdiction intends to grow
- Map should be realistic image of future




Slide 10

Development Regulations

Zoning

- "The legal power of government to regulate the use of private property for the purpose of protecting the public health, safety, morals, and general welfare."
- Includes zoning map and zoning ordinance
- Zoning regulates what can go where



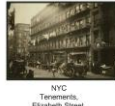
Slide 11

Zoning Ordinance


- The ordinance text, zoning map and records of rezoning decisions (often with conditions).
- District requirements –
 - uses, lot size, size of structures, special uses, parking, etc
- Site design
 - other requirements such as setbacks, lot coverage, height, FAR, etc.

Slide 12

Why Zoning?



NYC Tenements, Elizabeth Street, 1912



NYC Tenements, Thompson St., 1912

Slide 13

National Model Created in 1921

The Standard Acts

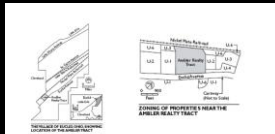
- Commerce Secretary Herbert Hoover creates advisory committee in 1921 to draft model state zoning, planning enabling acts



Source: National Bureau of Economic Research. "Unemployment in the United States." <http://www.bls.gov/news.release/unempz.t01.htm>.

Slide 14

Zoning is Constitutional



1926—*Village of Euclid v. Ambler Realty Co.*, 272 U.S. 365, upholds constitutionality of zoning

Center for Government Services, Research School of Politics and Public Policy, Program, The State University of New York

Slide 15

Zoning is Constitutional

- Georgia Constitution – 1983 – Article. 9
 - The governing authority of each county and of each municipality may adopt plans and may exercise the power of zoning. This authorization shall not prohibit the General Assembly from enacting general laws establishing procedures for the exercise of such power.¹¹

Slide 16

Benefits of Zoning

- Minimizes incompatible land uses
- Increases predictability
- Protects property values



Slide 17

Drawbacks of Zoning

Following WWII, planners kept adding more zoning categories, further segregating daily needs



Slide 18

What scale is your community?



Slide 19



Slide 20



Slide 21




Slide 22



Slide 23

Zoning Conditions

- Conditional Use –
 - Requires special permission for certain uses within a specific zoning classification



Slide 24

Variance

- Permission to deviate from usual zoning regulations (setback, height, etc.) because of unusual and unnecessary hardship
- Zoning Board of Appeals (ZBA, BZA, ZRB, Etc.)
 - Decision-making body for variances and administrative appeals
 - Quasi-judicial actions
 - Are to Georgia Superior Court

The diagram illustrates a zoning lot with a variance. The lot is divided into two main sections: a larger green section labeled 'Lot' and a smaller brown section labeled 'Variance'. The 'Lot' section is further divided into a 'Front Yard' and a 'Rear Yard'. The 'Variance' section is a rectangular area within the 'Lot' section. A legend at the bottom identifies the colors: Green for 'Lot', Brown for 'Variance', and Grey for 'Front Yard'. A scale bar at the bottom indicates distances of 0, 10, 20, and 30 feet. A north arrow is also present.

Slide 25

Development Regulations


Other Tools/ Design Regulations

- Planned Unit Development regulations (PUD)
- Subdivision regulations
- Overlay Ordinances
- Form Based Codes

Slide 26

Planned Unit Development (PUD)

- A designed grouping of varied and compatible land uses within one contained development
 - Can include housing, recreation, office and commercial components
- Flexibility
- More difficult to manage
- Decreases predictability



Slide 27

Subdivision Regulations

- Supported by GA Plat Act (O.C.G.A 15-6-67)
- Administrative requirements
 - Preliminary plat
 - First draft/ Infrastructure design review
 - Final plat
 - Legal creation of lots
- Hearing requirements
- Minor subdivisions


Slide 28



Slide 29

Sign Ordinance

- Regulations for signs – permanent, temporary, etc.
- First Amendment issues
 - Can regulate based on reasonable time, place, and manner
- Size, shape and location restrictions on signs upheld by Supreme Court



Slide 30

Design Regulations

Regulate how things look

- Architectural style
- Historic Character
- Streets, sidewalk, furniture
- Landscaping
- Parking

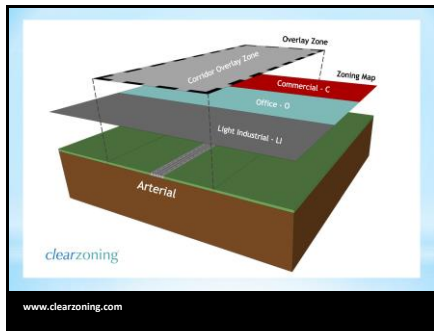


Slide 31

Overlay Districts

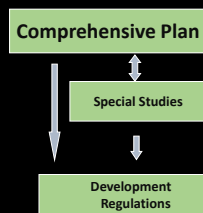
- Provides additional regulations distinct from (or in lieu of) existing zoning districts
- Ability to cater standards to unique situations
 - May be more restrictive
 - May require specific features
 - Design Regulations
 - Workforce housing
 - Mixed use

Slide 32



Slide 33


The Local Planning Context



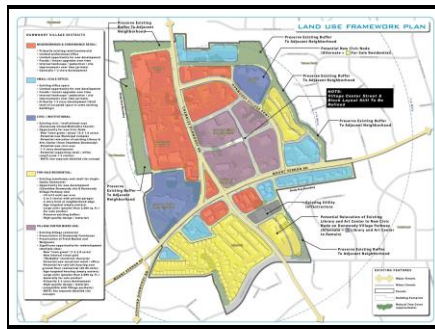
Slide 34

Special Studies

- Detailed Plan
- Clearly defined boundaries
- Subset of the larger community
- Relates to the broader Comprehensive Plan / planning framework
 - Existing conditions
 - Issue identification
 - Vision/goals, action plan



Slide 35



Slide 36

Special Study Benefits

- Provides:
 - Need & justification for land use changes
 - Details to prepare ordinances
 - More certainty for developers
- Identifies specific infrastructure needs & costs
- Establishes
 - Public support for plan and
 - Acceptance of new developments
- More informed and supportive elected officials

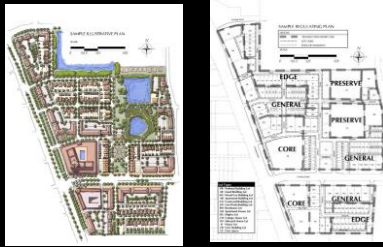
Slide 37

Form Codes or Smart Code

- A method of regulating development to achieve a specific character.
- Seeks to create a predictable “public realm” by controlling building types/streets with a lesser focus on land use.
- Address the relationship between buildings and streets/parks (public realm), types of streets and blocks.
- Presented in both diagrams and words, keyed to a regulating plan that designates the appropriate form and scale of development.

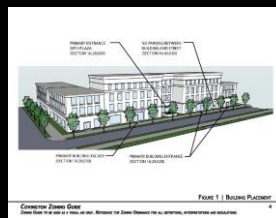
Slide 38

Form Based Codes




Slide 39

Building Placement



Slide 40

Building Placement



Building Placement

As shown in the photos, buildings should be placed in a way that they are visible from the street and are not obscured by other buildings or structures.

The most common building placement is to set the building back from the street by a minimum of 10 feet. This allows for a clear view of the building and the street.


Another common building placement is to set the building back from the street by a minimum of 10 feet and to add a large overhang or canopy over the entrance. This provides a clear view of the building and the street while also providing shade and protection for the entrance.

The most common building placement is to set the building back from the street by a minimum of 10 feet and to add a large overhang or canopy over the entrance. This provides a clear view of the building and the street while also providing shade and protection for the entrance.

Connecticut Zoning Code
Connecticut Zoning Code, Chapter 12-1, Section 12-1.1, Subsection 12-1.1.1, Building the Zoning Ordinance for all purposes, interpretation and enforcement.

Slide 41

Open Space




Open Space

The diagram shows a building with a large open space in front of it. The open space is labeled 'Open Space' and the building is labeled 'Building'.

Connecticut Zoning Code
Connecticut Zoning Code, Chapter 12-1, Section 12-1.1, Subsection 12-1.1.1, Building the Zoning Ordinance for all purposes, interpretation and enforcement.

Slide 42

Open Space



Open Space

Open Space is a required part of any new development. It should be designed to provide a clear view of the building and the street. The open space should be at least 10 feet wide and 10 feet deep. It should also be designed to provide shade and protection for the building and the street.

Open Space should be designed to provide a clear view of the building and the street. The open space should be at least 10 feet wide and 10 feet deep. It should also be designed to provide shade and protection for the building and the street.

Open Space should be designed to provide a clear view of the building and the street. The open space should be at least 10 feet wide and 10 feet deep. It should also be designed to provide shade and protection for the building and the street.

Connecticut Zoning Code
Connecticut Zoning Code, Chapter 12-1, Section 12-1.1, Subsection 12-1.1.1, Building the Zoning Ordinance for all purposes, interpretation and enforcement.

Slide 43

[illegible]

Slide 44

Street Type

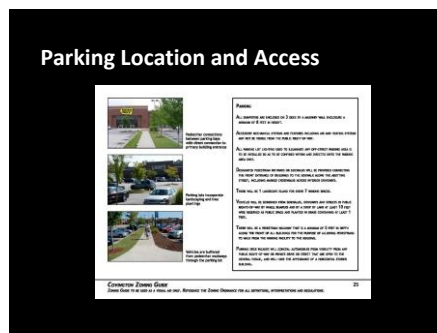
Slide 45

[illegible]

Slide 46



Slide 47



Slide 48

The Bottom Line

- Plans are a guide, codes are the law
- Staff, Boards and Commissions must be:
 - objective
 - consistent
 - rely upon plans, codes, and the facts
- Working Sessions vs. Hearings
- Plans and Codes are living documents and must adjust to changing conditions
- Implementation and enforcement are vital

Sidney E. Douse III, AICP
GPA Board Member
Atlanta Regional Commission
sdouse@atlantaregional.com
